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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

United States of America,

Plaintiff,

v.

Ty Logan Mealey,

Defendant.

CR 23-00053-PHX-SPL (MTM)

**MOTION FOR ORDER OF
FORFEITURE**

Plaintiff United States of America moves for a preliminary order of forfeiture. A proposed order is submitted with this motion.

On January 25, 2024, defendant Ty Logan Mealey pleaded guilty to a lesser-included offense of Count 2 of the Indictment, Possession with Intent to Distribute Methamphetamine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), a Class C felony offense.

The defendant admitted to the forfeiture allegations contained in the Indictment and agreed to forfeit to the United States any and all right, title, and interest in any and all property, real or personal, involved in such offense, or any property traceable to such property involved in the offense, or conspiracy to commit such offense, including the following:

1. \$21,564.00 in United States currency; and,
2. 2018 Jeep Wrangler bearing Arizona license plate CVB6190, Vehicle Identification Number 1C4BJWFG4JL888149 (the "Subject Property").

1 Based upon the evidence set forth in the plea agreement, the United States has
2 established the requisite nexus between the Subject Property and the offense for which
3 the defendant has pled guilty, and that the defendant has an interest in such property.
4 Accordingly, that property is subject to forfeiture to the United States pursuant to 8
5 U.S.C. § 1324(b), 18 U.S.C. §§ 924(d), 981, 982 and 2253, 21 U.S.C. §§ 853 and 881,
6 and/or 28 U.S.C. § 2461(c).

7 Rule 32.2(b) of the Federal Rules of Criminal Procedure provides that:

8 (1)(A) As soon as practicable after a verdict or finding of guilty, or after a
9 plea of guilty or *nolo contendere* is accepted, on any count in an indictment
10 or information regarding which criminal forfeiture is sought, the court must
11 determine what property is subject to forfeiture under the applicable statute.
12 If the government seeks forfeiture of specific property, the court must
13 determine whether the government has established the requisite nexus
14 between the property and the offense. If the government seeks a personal
15 money judgment, the court must determine the amount of money that the
16 defendant will be ordered to pay. The court's determination may be based
17 on evidence already in the record, including any written plea agreement or,
18 if the forfeiture is contested, on evidence or information presented by the
19 parties at a hearing after the verdict or finding of guilt.

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21 (2)(A) If the court finds that property is subject to forfeiture, it must
22 promptly enter a preliminary order of forfeiture setting forth the amount of
23 any money judgment or directing the forfeiture of specific property without
24 regard to any third party's interest in all or part of it. Determining whether a
25 third party has such an interest must be deferred until any third party files a
26 claim in an ancillary proceeding under Rule 32.2(c).

27 ***

28 (3) The entry of a preliminary order of forfeiture authorizes the Attorney
General (or a designee) to seize the specific property subject to forfeiture;
to conduct any discovery the court considers proper in identifying, locating,
or disposing of the property; and to commence proceedings that comply
with any statutes governing third-party rights. At sentencing - or at any
time before sentencing if the defendant consents - the order of forfeiture
becomes final as to the defendant and must be made part of the sentence
and be included in the judgment. The court may include in the order of
forfeiture conditions reasonably necessary to preserve the property's value
pending any appeal.

CERTIFICATION

I certify that on March 13, 2024, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrant:

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Counsel for Defendant Ty Logan Mealey

By: /S/ Tina Keoni
U.S. Attorney's Office